

19. The composition of claim 1, wherein the mean pore diameter of the composition is about 100 microns to about 400 microns.

Please cancel Claims 20-23 without prejudice or disclaimer.

24. The composition of claim 1, wherein the exposed surface is at least about 75% silicon dioxide.

25. The composition of claim 1, wherein the exposed surface is at least about 95% silicon dioxide.

Please cancel Claim 26 without prejudice or disclaimer.

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 3, 2002. At the time of the Office Action, Claims 1-26 were pending in this Application. Claims 1-26 were rejected. To expedite allowance and further clarify the invention, Applicant has amended Claim 1 to better define various features of the invention. Applicant respectfully requests reconsideration and favorable action in this case.

Rejection under 35 U.S.C. § 102

Claims 1, 2, 5 and 7-26 were rejected by Examiner under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,621,035 issued to Mark B. Lyles et al. (hereinafter "'035 Lyles"). Applicant respectfully traverses and submits '035 Lyles (the present inventor) does not teach a porous composition having (i) a density as low as 3.5 pounds per cubic foot comprising up to 100% silica wherein the silica comprises up to about 50% cristobalite, (ii) with up to about 50% of the exposed surface area being silicon dioxide. And '035 Lyles certainly does not teach the above composition wherein the exposed surface has been modified by a chemical reaction to increase the hydrophilicity or hydrophobicity of the exposed surface.

Claims 1-5 and 7-26 were rejected by Examiner under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,951,295 issued to Mark B. Lyles et al. (hereinafter "'295 Lyles"). Applicant respectfully traverses and submits '295 Lyles does not teach a porous composition having (i) a density as low as 3.5 pounds per cubic foot comprising up to 100% silica wherein the silica comprises up to about 50% cristobalite, (ii) with up to about 50% of the exposed surface area being silicon dioxide. And '295 Lyles certainly does not teach the above composition wherein the exposed surface has been modified by a chemical reaction to increase the hydrophilicity or hydrophobicity of the exposed surface.

Rejection under 35 U.S.C. § 103

Claims 1, 2, 5 and 7-26 were rejected by Examiner under 35 U.S.C. § 103(a) as being unpatentable over '035 Lyles. Applicant respectfully traverses and submits that '035 Lyles does not suggest alone (or in combination with any other art) the invention of amended claim 1. See the discussion above.

Claims 1-5 and 7-26 were rejected by Examiner under 35 U.S.C. § 103(a) as being unpatentable over '295 Lyles. Applicant respectfully traverses and submits that '295 Lyles does not suggest alone (or in combination with any other act) the invention of amended claim 1. See discussion above.

Claim 6 was rejected by Examiner under 35 U.S.C. § 103(a) as being unpatentable over '035 Lyles or '295 Lyles in view of U.S. Patent 6,063,395 issued to Tommi Markkula et al. (hereinafter "Markkula"). For the reasons stated above concerning claim 1, on which claim 6 is dependant, the Applicant respectfully submits claim 6 is now in condition for allowance.

CONCLUSION

Applicant appreciates the Examiner's careful review of the application. Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of the claims, as amended.

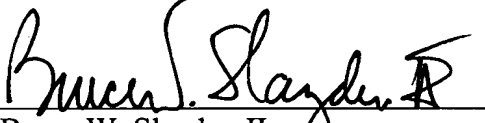
Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendments. The attached pages are captioned "**Version with Markings to Show Changes Made.**"

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2606.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS**

Please amend Claim 1 and cancel Claims 2, 20-23, and 26 as follows:

1. A porous composition comprising:
up to about 100% by weight silica wherein the silica comprises up to about 100% by weight cristobalite; and
up to about 60% by weight alumina; wherein the composition has a density of
at least about [6]3.5 pounds per cubic foot [(96.1 kg/m³)], at least about 50% of the exposed surface area is silicon dioxide, and said surface has been modified by a chemical reaction to increase the hydrophilicity or hydrophobicity.

Please cancel Claim 2 without prejudice or disclaimer.

Please cancel Claims 20-23 without prejudice or disclaimer.

Please cancel Claim 26 without prejudice or disclaimer.